



EPA seeks to cancel scientific basis for climate regulations

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Ben Geman
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EPA Administrator Lee Zeldin said Tuesday he's issuing draft plans to overturn the agency's 2009 scientific finding that greenhouse gases threaten human health and welfare — a move guaranteed to spark litigation.

Why it matters: It's President Trump's most direct effort to rip out climate regulations root and branch — and make it harder for a successor to impose new ones.

- The ["endangerment finding"](#) provides a key legal underpinning for regulating heat-trapping gases from cars, power plants and more under the Clean Air Act.

Driving the news: "This has been referred to as basically driving a dagger into the heart of the climate change religion," Zeldin [said on Ruthless](#), the popular conservative podcast where he announced the plan.

- EPA [first signaled in March](#) that it would attempt to overturn the decision.

The agency is pairing it with a proposal that, if finalized, would remove greenhouse gas standards for light-, medium- and heavy-duty vehicles and heavy-duty engines.

- Those removals would start with the first greenhouse gas set in 2010 for light-duty vehicles as well as those set in 2011 for medium-duty vehicles and heavy-duty vehicles and engines.

- "The trucking industry supports cleaner, more efficient technologies, but we need policies rooted in real-world conditions," American Trucking Association President and CEO Chris Spear said in an EPA news release.

Catch up quick: EPA issued the finding in response to a landmark 2007 Supreme Court decision, *Massachusetts v. EPA*, which held that greenhouse gases are pollutants under the Clean Air Act.

- The ruling led then-President Obama in 2009 to issue an order allowing EPA to establish emissions standards for sources shown to reasonably affect health and welfare.

- Zeldin has said the decision stipulated that EPA was authorized — but not obligated — to regulate greenhouse gases.

The big picture: Researchers and environmentalists have warned ahead of the proposal that it conflicts with the scientific consensus on the unfolding harms from climate change.

- "It is callous, dangerous and a breach of our government's responsibility to protect the American people from this devastating pollution," the Environmental Defense Fund said ahead of the long-expected plan.

- **And Dan Becker of the Center for Biological Diversity said in a statement Tuesday: "By revoking this key scientific finding Trump is putting fealty to Big Oil over sound science and people's health."**

State of play: Zeldin argued that he's in favor of less pollution, and cast emissions rules as a distraction, saying "this is an economic issue."

- "We want clean air, land and water. Conservatives love the environment, want to be good stewards of the environment," he said.

- But he alleged there are people who want to "bankrupt the country" in the name of battling climate change.

Friction point: Zeldin said the agency welcomes a battle over what he called faulty conclusions about climate harms. The EPA administrator would make the final determination after a public comment period.

- "We're going to go out to public comment. We're not afraid of allowing the public to weigh in," Zeldin said.

What we're watching: Certain legal battles if and when EPA finalizes the draft proposal after the comment period.

- Opponents of EPA's greenhouse gas regulations "might be able to fast-track their elimination by bringing lawsuits alleging that — without an underlying endangerment finding — the rules are arbitrary and capricious," ClearView Energy Partners said earlier this year.

Editor's note: This story has been updated with further information about the vehicle climate rule proposal.

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